IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1383 OF 2005

IN

SECOND APPEAL NO. 393 OF 1988

Rangrao D. J. Kasabekar ..Appellant

versus

Anandrao D. J. Kasabekar & Ors. ..Respondents

Mrs. Prabhu i/b. A. V. Bandiwadekar for the Appellant.

None for the Respondents.

CORAM : D. G. DESHPANDE,J.

DATE : 25TH AUGUST, 2005

P.C. :

1. Heard.

2. This is an application filed by the appellant for setting aside the order dated 7.7.2005 for restoration of the appeal. The appeal is filed in 1988. On 18.3.2005 order of issuing fresh notice to the respondent No.10 was passed. Advocate was directed to serve private notice and affidavit of service was to be filed within one week before the

returnable date that was 13.6.2005. Thereafter there was an office note that Advocate for the Appellant has not filed affidavit of service. Then the matter appeared before me on 7.7.2005. It was noted that appeal is pending for more than 17 years for serving the respondents and there was no ad interim order and the appeal was dismissed.

3. Now this application is filed for restoration. No merits. Application is dismissed.

25.8.2005 (D.G. DESHPANDE, J.)